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On November 9, 2005

TOWNSEND and TOWNSEND and CREW LLP

By:

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PATENT

Attorney Docket No.: 022128-000300US

Customer No. 20350

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARK DEEM et al.

Application No.: 10/665,974

Filed: September 18, 2003

For: Methods and Apparatus for Treatment of
Patent Foramen Ovale

Confirmation No. 5366

Examiner: Michael F. Peffley

T.C./Art Unit: 3739

**RESPONSE TO RESTRICTION
AND ELECTION OF SPECIES
REQUIREMENT and SECOND
PRELIMINARY AMENDMENT**

Mailstop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 30, 2005, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.